# STATE ETHICS COMMISSION



## ETHICS DISCLOSURE STATEMENT CONFLICTS OF INTEREST -- DECISIONS AND VOTING

State Form 55860 (R / 10-15) OFFICE OF THE INSPECTOR GENERAL IC 4-2-6-9 AUG 27 2021

FILED



days after the conduct that gives rise to the conflict, You must also include a copy of the notification provided to your agency appointing authority and ethics officer when filing this disclosure. This disclosure will be posted on the Inspector General's website. Name (last) Name (first) Name (middle) Barich David Job IIIIe Name of office or agency Indiana Department of Transportation- LaPorte District Area Engineer Address of office (number and street) City ZIP code 315 East Boyd Boulevard LaPorte 46350 Office telephone number Office e-mail address (required) (219) 325-7545 DBarich@indot.IN.gov Describe the conflict of interest: David Barich is an Area Engineer for the Indiana Department of Transportation (INDOT)- LaPorte District. David Barich has accepted a position with Lochmueller Group, Inc. ("Lochmueller"), Lochmueller has a business relationship with INDOT, including active contracts with the Department. David Barich's employment negotiations with Lochmueller created a potential decisions and voting conflict of interest under IC 4-2-6-9. This disclosure is therefore being filed in anticipation of that potential conflict. David Barich is not subject to the mandatory cooling off period (IC 4-2-6-11(b)) with respect to Lochmueller. David Barich is subject to the particular matter restriction and will not assist future employers, including Lochmueller, with any matter he personally and substantially participated in on behalf of INDOT (matter list on file with INDOT Ethics Officer). This disclosure was provided to David Barich's appointing authority, Commissioner Joe McGuinness, on August 27, 2021. Evidence of said disclosure to Commissioner McGuinness is filed herewith pursuant to IC 4-2-6-9(b)(2)(D). Pursuant to IC 4-2-6-9(b)(2), this disclosure was executed and filed with the SEC within seven days (7) of the potential conflict being identified by the below signed ethics officer.

In accordance with IC 4-2-6-9, you must file your disclosure with the State Ethics Commission no later than seven (7)

Describe the screen established by your ethics officer: (Atlach additional pages as needed.)  A formal screen was executed with INDOT's ethics officer preventing Mr. Barlch from working with Lochmueller Group, I	nc						
in his capacity as an INDOT employee. Said screen prohibits David Barich from under taking his official duties							
or otherwise participating in any decision or vote, or matter related to such decision or vote, involving Lochmueller,							
or in which Lochmueller has an interest. David Barich is further screened from assisting any future							
employer, including Lochmueller, with a matter in which he personally and substantially participated in while							
employed by INDOT (matter list on file with INDOT Ethics Officer and attached to executed screen).							
The screen was executed on August 27, 2021, a copy of which was sent to Commissioner Joe McGuinness along							
with this disclosure.							
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AFFIRMATION							
Your signature below affirms that your disclosures on this form are true, complete, and correct to the best of your knowledge and belief. In addition to this form, you have attached a copy of your written disclosure to your agency appointing authority and ethics officer.							
Signature of state officer, employee or special state appointee  Date signed (month, day, year) August 27, 2021							
Printed full name of state officer, employee or special state appointee	$\dashv$						
David Barich	_						
FOR ETHICS OFFICER USE ONLY							
Your signature below affirms that you have reviewed this disclosure form and that it is true, complete, and correct to the best of your knowledge and belief. You also attest that your agency has implemented the screen described above.							
Signature of ethics officer  /s/: Christopher B. Serak  Date signed (month, day, year)  August 27, 2021	$\neg$						
Printed full name of ethics officer Christopher B. Serak	-						

## CONFLICT OF INTEREST SCREEN FOR DAVID BARICH

August 27, 2021

#### I. RECITALS

WHEREAS, David Barich is an Area Engineer for the Indiana Department of Transportation- LaPorte District ("INDOT" or "Department"); and

WHEREAS, David Barich has accepted a position with Lochmueller Group, Inc. ("Lochmueller"); and WHEREAS, Lochmueller has a business relationship with INDOT, including ongoing contracts with the Department; and

WHEREAS, as an Area Engineer for INDOT, it is possible that David Barich could be assigned to work with Lochmueller or to participate in matters involving the company as part of his regular duties; and

WHEREAS, David Barich's employment negotiations with Lochmueller created a potential decision and voting conflict of interest under IC 4-2-6-9 requiring disclosure and a formal screen; and

WHEREAS, David Barich is subject to the particular matter restriction under IC 4-2-6-11(a) and cannot assist future employers, including Lochmueller, with any matter he personally and substantially participated in while employed by INDOT<sup>1</sup>.

NOW THEREFORE, David Barich, an Area Engineer in the LaPorte District, for his remaining tenure with INDOT, or until he discontinues employment negotiations with Lochmueller Group, Inc., agrees to in all ways follow, adhere to, and satisfy the terms of the following Conflict of Interest Screen. David Barich must adhere to term three (3) regarding the particular matter restriction in perpetuity, for the life of each particular matter.

#### II. CONFLICT OF INTEREST SCREEN

- 1. David Barich shall not participate in any decision or vote, or any matter related to such decision or vote, in which Lochmueller has a financial interest.
- 2. David Barich should be screened from participating in any present or future contract or other matter involving Lochmueller.
- 3. David Barich shall not assist any future employers, including Lochmueller, with any matter he personally and substantially participated in while employed by INDOT. This restriction applies in perpetuity, for the life of the particular matter (see Exhibit A).

#### III. EMPLOYEE AFFIRMATION

I have read and understand the terms of the foregoing Conflict of Interest Screen, and will in all ways follow, adhere to, and satisfy the above stated restrictions on my participation in any decision or vote in which Lochmueller Group, Inc. has a financial interest. I understand that the first two (2) terms of this screen terminate upon my leaving the Department or the discontinuation of negotiations with Lochmueller, whichever occurs first. I further understand that term three (3) concerning the particular matter restrict applies in perpetuity, for the life of the matter. I have shared and discussed this Conflict of Interest Screen and its requirements with my supervisor.

Executed and agreed this 27<sup>h</sup> day of August 2021, by:

David Barich, Area Engineer

Indiana Department of Transportation- LaPorte District

<sup>&</sup>lt;sup>1</sup> A spreadsheet containing a list of contracts that David Barich cannot participate in on behalf of future employers is attached hereto as <u>Exhibit A</u>; a further list of contracts that are not within the scope of the particular matter restriction are on file with INDOT's Ethics Officer.

Des R Contract	# Walk York	krállan	institution (	SHASSER	Continents About Gave Baildi's Involvement
0301165 R-29582	Bike/Pedestrian Facilities	SP YARI Michigan City - Singing Sands Lighthouse Trail Phase 1, Porter Co to MC			Still Under Construction
1500122 R-38913	ADA Sidewalk Ramp Construction	IR 1023 Handley Elementary Safe Routes to School			Construction Final Inspection Completed
1601776 R-39796		SR 331 Apprex 1000ft S of SR 933 at CSX RR		/9/2019	Construction Final Inspection Completed
1601868 R-40505	Other Type Project (Miscelianeous)	IR 1023 Wayfinding Signage			Construction Final Inspection Completed
1700758 R-40739	HMA Overlay, Preventive Maintenance	ST 1001 Pavement Rehabilitation various location in City of La Porte	Barich, David 5		Construction Final inspection Completed
1298404 B-41034	Bridge Deck Replacement	US 20 Bridge over 1-90, 3.60 mt E of SR 39			Construction Final inspection Completed
1600352 B-41034		US 20 Over 190, 3.50 ml E of SR 39  194 WBL over US 20, Willow Greek & CSX RR, G.9ml E of 190			Construction Final inspection Completed Construction Final inspection Completed
1801626 B-41543 1801627 B-41543	Bridge Rehabilitation Or Repair Bridge Rehabilitation Or Repair	194 EBL over US 20, Willow Creek & CSX RII, O.9ml E of 1-90			Construction Final inspection Completed
1701526 RS-38743		SR 23 From Bittersweet to Michigan State Une			Construction Final Inspection Completed
0900080 R-33093		ST 1001 Willowcreek Road Intersection at Central Ave	Barich, David 1	1/14/2019	Construction Final inspection Completed
1500324 R-38317	Bike/Pedestrian Facilities	IR 1023 Singing Sands Trail Ph 2 - Franklin St Bridge to E Street		/15/2020	Construction Final Inspection Completed
1400116 R-38751	HMA Overlay, Preventive Maintenance	US 35 Boyd Blvd to Kingsbury Ave			Construction Final Inspection Completed
1701522 R-38751	HMA Overlay, Preventive Mulatenance	SR 39 From US 35 (N )CT] to US 20			Construction Final inspection Completed
1701527 R-38751	HMA Overlay, Preventive Maintenance	US 35 From US 6 (W JCT) to Boyd Bivd			Construction Final Inspection Completed
0900075 R-32577	Road Reconstruction (3R/4R Standards)	5T 1001 Reconstruct Silhavy Road: La Porte Ave to Evant Ave			Still Under Construction
1800661 R-41432	Small Structure Replacement	US 20 0.67m1 W of US 421	Barich, David 2	/5/2020	Construction Final Inspection Completed
1901515 R-42078	Asphalt Patching	VA VARI Various Terminal Joints Throughout the LaPorte District			Construction Final Inspection Completed
1700300 B-41029		194 EBL over NICTD, 1.74ml F of US 20			Construction Final inspection Completed  Construction Final inspection Completed
1700301 B-41029 1701139 B-41029	Bridge Painting Small Structure Pipe Uning	194 W.B. over NICTD, 1,74 ml E of US 20 194 3.81 ml E of US 421			Construction Final inspection Completed
1701159 B-41029		194 FB over Norris Olich Ra I., 1.19 ml E of US 421	Barich, David 4		Construction Final inspection Completed
1701161 B-41029		194 WB over Norris Ditch No 1, 1.19 mi E of US 421			Construction Final Inspection Completed
1701162 B-41029		194 CR 500 W over 594 EB/WB, 0.72 ml W of US 20		/1/2020	Construction Final Inspection Completed
1701163 0-41029	Bridge Deck Overlay	194 CR 900 N over I-94 FB/N/B, 3.45 ml E of US 20		/1/2020	Construction Final Inspection Completed
1801188 B-41029	Repair Or Replace Joints	194 BRDWH RD/CR 500E @ . 1-94 EB/WB, 4.59mi E of SR 49			Construction Final Inspection Completed
1801189 B-41029	Repair Or Repiace Joints	194 BLECK ROAD Ø, 1-94 EB/WB, 3.77ml E of US 421	Datich, David 4		Construction Final Inspection Completed
1383725 R-41023	HMA Overlay Minor Structural	US 6 From SR St to 0.51 mi E of \$R 51 (United St)			Construction Bnal Inspection Completed
1600499 R-41023	HMA Overlay Minor Structural	US 30 From 2.65 mt W of W Jet of 5R 2 (CR 250 W) to 0.6 mt E of 5R 49 (Industrial Dr)	Barich, David 4		Construction Final Inspection Completed
1601069 R-39883	RIMA Overlay Minor Structural	US 20 From SR 2 to 3.95 ml E of SR 2 (La Porte/St Joseph County Une)			Construction Final Inspection Completed
1900457 R-39883	Intersect, Improv. W/ New Signals	US 20 9,25mi W of CR 700E/Cougar Rd to 0,25mi E of CR 700E/Cougar Rd			Construction Final Inspection Completed
1900458 R-39883		SR 2.0.25ml W of CR 700E/Cougar Rd to 0.25ml E of CR 700E/Cougar Rd			Construction Final Inspection Completed
1701525 RS-42588		US 6 From SR 39 to US 35 (F UCT)		/7/2020 ofz/2020	Construction Final Inspection Completed Still Under Construction
1800635 6-41205 1800636 B-41205	Bridge Painting	194 EBØ -US 20/35 EB/V/B, 5.37ml E of US 421			Still Under Construction
1800835 8-41205		94 W8@-US 20/35 E8/W6, 5.37ml E of US 421 194 CR 400N@-1-94 EB/WB, NORRIS DITCH, 1.76ml E of US 421			Still Under Construction
1800836 B-41205		194 EB@-CSS & 50 RR, 0.45mi Y of US 20			Still Under Construction
1800837 8-41205	Bridge Deck Overlay	194 WB@-CSS & SB RR, 0.45mJ W of US 20/35			Still Under Construction
1800855 8-41205		394 CR 8(XXX)⊕,-1-94 EB/WB, 2.05ml É of US 20	Barich, David	0/7/2020	Still Under Construction
1800863 B-41205	Bridge Deck Sealing	(94 JOHNSON ROAD@-194 (B/WB, NORRIS DITCH, 2.93m) E of US 42)			Still Under Construction
1600906 B-41201	Bridge Deck Overlay	SR 4 SR 4 at GTW RR, 2.79 mi E of SR 104			Still Under Construction
1800824 B-41201	Bridge Thin Deck Overlay	US 20 @ - N&S RR, 1.44ml W of SR 2			Still Under Construction
1800838 B-42960	Bridge Deck Overlay	US 20 @ . TRAIL CREEK, 1.24ms W of US 35			Still Under Construction
1800847 B-42960	Bridge Deck Overlay	US 20 @ -SALT CREEK, 1.13ml W of SR 149			Still Under Construction
1602106 R-42106		SR 2 From SR 39 to Barson Ave		/13/2021	Still Under Construction
1801219 R-42106		VA VARI Signals on SR2, SR4 and US3S in the City of La Porte			Still Under Construction Still Under Construction
1500418 R-38950	Bike/Pedestrian Facilities	5P BIKE /Marquette Greenway trali along Ameripiex Drive			Still Under Construction
1600359 R-40644	HMA Overlay, Preventive Maintenance	US 30 From 3,33 ml E of SR 23 (Union Rd) to SR 17			Still Under Construction
1800788 R-40644 1800789 R-40644		US 31 NB,00 - US 30 EB,7VB, 7.83ml N of SR 10 US 31 SB,00 - US 30 EB,7VB, 7.83ml N of SR 10	Barich, David Barich, David		Still Under Construction
1800839 R-40644		US 30 EDB - YELLOW RIVER, FARM RD, Q.52mi W of US 31			Still Under Construction
1800840 R-40644		US 30 WB@-YELLOW RIVER, FARM RO, D. S27ml VY of US 31	Barlch, David 2	/10/2021	Still Under Construction
2001131 R-40644		VA VARI Fun Finds Hea Market, 12423 US 31, Plymouth and Musselman Property, 1960 S. US 31, Rochester		/10/2021	SBII Under Construction
1701534 R-40651	HMA Overlay, Preventive Maintenance	SR 149 From SR 130 to US 12			Still Under Construction
1601345 T-41284	ITS Devices Maintenance Contracts	VA VARI Fort Wayne District (TS & Signal Maintenance Contract - FY 21 & 22	Barich, David 7		Still Under Construction
1900426 T-41284	ITS Devices Maintenance Contracts	VA VARI LaPorte District ITS & Signal Maintenance Contract - FY 21 & 22	Barich, David 2	/10/2021	Still Under Construction
1601869 R-40272	Bike/Pedestrian Facilities	IR 1023 Singing Sands Trail Phase 3	Barich, David 4		Completed Stage 3 Review
1700064 B-40598		1943.20ml W of State Line	Barich, David 8	/11/2021	Completed Stage 3 Review
1700106 II-40598	Replace Superstructure	194 EB over Horris Ditch, No 3, 2,95ml E of US 421			Completed Stage 3 Review
1700107 8-40598	Replace Superstructure	194 W8 over Norris Ditch, No 3, 2.96ml E of US 421			Completed Stage 3 Review
1701310 B-40598	Small Structure Pipe Uning	194 0.70 ml E of US 421			Completed Stage 3 Review
1401027 8-37667	New Bridge, Other Construction	IR 1008 Replace Otis Road Bridge over Little Calumet River		/15/2021 IO/14/2021	Completed Stage 3 Review Completed Stage 3 Review
2002531 T-43481 1600500 B-39491	Traffic Signal Visibility Improvements  Replace Superstructure	VA YARU US12, US20, and US421 are the confidors in LaPorte County, SR17 is the confidor in Plymouth SR 249 US 12, 2 RR, 2 Roads, 2.0 rd N of 1-94			Currently wasking on Stage 3 Review
1802046 B-39491		SR 249 US 12, 2 RR, 2 Roads, 2 Drul 1/ of 1-94	Barich, David 1		Currently working on Stage 3 Review
1700760 R-40741		ST 1001 Payament Rehabilitation various locations City of LaPorte	Barich, David 1	2/8/2021	Stage 3 Review Requested by PM - Have not looked at this contract yet
1501147 R-39625		IR 1025 Marquette Greenway Trail, SR149 to Babcock Rd	Barlch, David 1		Attended meetings with LPA and designer
1702829 R-41173		IR 1033 intersection Improvement on CR 150 North near Lofgren Road and CR 250 East	Barich, David 1	/12/2022	Completed Stage 3 Review
1700021 R-42250	intersect. Improv. W/ Added Turn Lanes	US 20 Intersections of US 20 with CR 3251Y & CR 300W, 1.1ml W of 5R 39			Attended meetings with PM and designer
1902124 R-43165	Road Rehabilitation (3R/4R Standards)	IR 1015 Road Rehabilitation on Crisman Rd from AlcCastand Ave to Old Porter Rd		/9/2022	Completed Stage 3 Review
1702833 B-41177		IR 1008 La Porte County Bridge 8186 Located over the Kankakee River on CR 650 West			Stage 3 Review Requested by PAT- Have not looked at this contract yet
1702992 R-41437		US 20 US 20 from 4.8 miles east of SR39 (CR300E) to 7.2 miles east of SR39 (CR500E)	Barleh, David 1	0/13/2022	Involved in meetings for MOT, constructability, etc. Involved in meetings for MOT, constructability, etc.
1702993 R-41437		US 20 US20 from 400' east of SR39 to 2.85 miles east of SR39 (Fall Rd)	Barleh, David 1 Barleh, David 1	0/13/2022	Involved in meetings for ALUT, constructability, etc. Attended a Prelimnary field Check.
1701532 R-42970 1701535 R-42970	HMA Overlay, Preventive Maintenance HMA Overlay, Preventive Maintenance	58 212 From US 20 to US 12 58 4 From 2.02 ml E of 58 2 (Boyd Blyd) to 5R 104	Barleh, David	0/13/2022	Attended a Prelimnary Field Check
1800628 B-43063	Bridge Painting	US 20 @-CSX RR, 1.30mFW of SR 249			Provided constructability comments
1902136 R-42604		SR 2 12 Various locations on SR 2 in LaPorte & Porter Counties between RP's 39+54 and 55+92	Barlich, David 1	1/16/2022	Provided constructability comments
2000495 R-43004		194 C 40 mi. E. of US 421 to C 45 mL W. of US 70/35 (HS RR Bridge)		2/7/2022	Attended a Virtual Prelimnary Field Check
1801912 B-41844		ST 4600 Roton Street over Norfolk Southern Reilroad	Barich David 4	/12/2023	Attended a Virtual Prelimnary Field Check
1900835 8-41844		ST 1035 Tiplon Street over Norfolk Southern Ballroad	Barich, David 4	/12/2023	Attended a Virtual Prelimnary Field Check
2002545 B-41844		ST 1035 New Bridge #504 - Tipton Street over Washington/Brighton St, D.18 - Norfolk Southern Railroad	Barlch, David 4	/12/2023	Attended a Virtual Prelimnary Field Check
2000214 8-43415	Bridge Deck Overlay	SR 4 SR 4 over PLACE DITCE, 04.22 W SR 23	Barlch, David S	/13/2023	Attended a Prelimnary Field Check
2000402 B-43415	Bridge Thin Deck Overlay	US 6 US 6 over CSX RR, TRACY ROAD, OL 95 E N ICT US 35	Barlth, David 5		Attended a Prelimnary Field Check
2000449 8-43415	A STATE OF THE STA	SR 4 SR 4 OVER KALIKAKEE RIVER, OS O1 W SR 23			Attended a Prelimnary Field Check
2000683 8-43415		US 6 US 6 over MILL CREEK, 02,70 W SR 39			Attended a Prelimnary field Check
2000792 8-43415		SRASRA OVER LITTLE KANKAKEE RIVER, D2.12 E SR 104	Barleh, David S	/13/2023	Attended a Prelimnary Held Check Attended a Prelimnary Held Check
2000825 8-43415		SR 104 SR 104 DVer KANKAKEE RIVER, 03.78 W US 6 194 194 EB over NICTO RR, 01.73 E US 20	Barich, David 9 Barich, David 1	1/15/2023	Attended a Prelimnary Held Check Attended a Prelimnary Held Check
2000425 B-43438 2000430 B-43438		194 194 18 over NICTO RR, 01.73 E US 20 194 194 WB over NICTO RR, 01.73 E US 20	Barich, David 1	1/15/2022	Attended a Prelimnary Field Check
2000778 8-43438		194 194 EB over NORRIS OHCH NO 2, 03.67 E US 421	Barich, David 1	1/15/2023	Attended a Prelimnary Field Check
2000784 8-43438		194 194 WB over NORRIS DITCH NO 2, 01.67 E US 421	Barlich, David 1	1/15/2023	Attended a Prelimnary Field Check
2000787 8-43438		194 194 at Warnte Road over 194 FB/VB, 00.87 E US 20	Barich, David 1	1/15/2023	Attended a Prelimnary Field Check
2000852 8-43438	Bridge Deck Replacement	[94] 94 aver Bleck Road, I-94 EB/AVB, 03.77 E US 421	Barlch, David 1	1/15/2023	Attended a Pcelimnary Field Check
2000613 R-43030	HAIA Overlay, Preventive Maintenance	SR 4 SR 2 to 2.02 mi. F. of SR 2 (Boyd Blvd)	Barich, David 1	2/13/2023	Attended a Project Scoping Meeting with the designer
2002344 B 43355	Bridge Deck Overlay	194 WAVERLY ROAD over 1-94 EB/WB, 01.12 W SR 49	Barich, David		Scored a design RFP with this DES listed
1501089 R-40605	Shoulder Rehabilitation	SR 39 From US 20 to 1.Sichigan State Line	Barich, David 7	/10/2024	involved in meetings for MOT, constructability, etc
2002079 0-41337	Bridge Deck Overlay	SR 249 SR 249 NB OVER LITTLE CALUMET RIVER, 00.71 N 1-94	Barich, David 8	/14/2024	Scored a design RFP with this DES-listed
2002080 B-43337	Bridge Deck Overlay	SR 249 SR 249 SB gyer LITTLE CALUMET RIVER, 00.71 N 1-94	Barich, David &	14/2024	Scored a design RFP with this DES listed

### Baker, Nathaniel P

To:

Serak, Chris (INDOT)

Subject:

RE: Executed COI Disclosure & Screen (David Barich)

From: Serak, Chris (INDOT)

Sent: Friday, August 27, 2021 3:14 PM

To: McGuinness, Joe < <a href="mailto:JMcGuinness@indot.IN.gov">JMcGuinness@indot.IN.gov</a>>

Cc: Kennedy, Heather <HKennedy@indot.IN.gov>; Barich, David M <<u>DBarich@indot.IN.gov</u>>

Subject: Executed COI Disclosure & Screen (David Barich)

#### Commissioner McGuinness-

Pursuant to the notice requirements of Ind. Code 4-2-6-9(b), please find the attached conflict disclosure and internal screen executed by employee David Barich. The disclosure will be filed with the Indiana Ethics Commission in satisfaction of the same. For the purpose of ensuring compliance with the particular matter restriction, a list of projects from which Mr. Barich is prohibited from assisting future employers is included with the screen as Exhibit A.

Please let me know if you have any questions.

Thank you.

Chris

Christopher B. Serak,
Prequalification Director
Ethics Officer
Prequalification Committee (Chairman)
Selection Review Committee (Member)
Indiana Department of Transportation

Office: (317) 234-2115 Cell: (317) 440-9868 Email: <u>chserak@indot.in.gov</u>

Location: IGCN, 100 N Senate, N758-PQ